

1 THE HONORABLE MARSHA J. PECHMAN
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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 S.D.S. LUMBER CO.,

11 Petitioner,

12 v.

13 KEVIN GREGORY and JACOB GREGORY,

14 Claimants.

15 IN ADMIRALTY

16 NO. 3:20-cv-05767-MJP

17 STIPULATION AND ORDER
18 REGARDING MOTION BRIEFING
19 SCHEDULE AND RE-NOTING

20 **NOTE ON MOTION CALENDAR:
21 MARCH 30, 2021**

22 Pursuant to LCR 7(k), petitioner SDS Lumber Co. (“SDS Lumber”) and claimants
23 Kevin Gregory and Jacob Gregory (“Claimants”), by and through their respective counsel of
24 record, hereby stipulate and agree as follows regarding the schedule for briefing and re-noting
25 the following pending motions:

26 1. Claimants filed their Motion to Dismiss Amended Complaint for Exoneration
27 From or Limitation of Liability (Dkt. No. 37) on March 11, 2021, and noted the motion for
28 consideration on April 2, 2021.

29 2. SDS Lumber filed a combined Response to Claimants’ Motion to Dismiss
30 Amended Complaint and Cross Motion to Dismiss Claimants’ Affirmative Defenses Re:
31 Statute of Limitations (Dkt. No. 42) on March 29, 2021, and noted the motion for
32 consideration on April 23, 2021.

33 3. In accordance with LCR 7(l), Claimants’ Motion to Dismiss Amended

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35 STIPULATION AND ORDER REGARDING
36 MOTION BRIEFING SCHEDULE AND RE-
37 NOTING - 1
38 No.: 3:20-cv-05767-MJP

39 ATTORNEYS AT LAW
40 BAUER MOYNIHAN & JOHNSON LLP
41 2101 FOURTH AVENUE, STE. 2400
42 SEATTLE, WASHINGTON 98121
43 TELEPHONE: (206) 443-3400

1 Complaint for Exoneration From or Limitation of Liability (Dkt. No. 37) shall be re-noted for
2 April 16, 2021, and SDS Lumber's Cross Motion to Dismiss Claimants' Affirmative Defenses
3 Re: Statute of Limitations (Dkt. No. 42) shall also be re-noted for April 16, 2021.

4 4. Under LCR 7(k), the parties agree to the following briefing schedule:

5 a. Claimants shall file and serve a combined Reply in Support of Motion
6 to Dismiss Amended Complaint for Exoneration From or Limitation of Liability, and
7 Response to Cross Motion to Dismiss Claimants' Affirmative Defenses Re: Statute of
8 Limitations, having a maximum of 24 pages, on or before April 12, 2021.

9 b. SDS Lumber shall file and serve a Reply in Support of Cross Motion to
10 Dismiss Claimants' Affirmative Defenses Re: Statute of Limitations, having a maximum of
11 12 pages, on or before April 16, 2021.

12 Dated this 30th day of March, 2021.

13 STACEY & JACOBSEN, PLLC

14 By: s/ James P. Jacobsen
15 James P. Jacobsen, WSBA #16331

16 s/ Joseph S. Stacey
17 Joseph S. Stacey, WSBA #12840

18 s/ Nigel T. Stacey
19 Nigel T. Stacey, WSBA #55458
20 Attorneys for Claimants Kevin Gregory and
Jacob Gregory

21 Dated this 30th day of March, 2021.

22 BAUER MOYNIHAN & JOHNSON LLP

23 s/ Matthew C. Crane
24 Matthew C. Crane, WSBA No. 18003

25 s/ Meliha Jusupovic
26 Meliha Jusupovic, WSBA No. 54024
Attorneys for Petitioner SDS Lumber Co.

STIPULATION AND ORDER REGARDING
MOTION BRIEFING SCHEDULE AND RE-
NOTING - 2
No.: 3:20-cv-05767-MJP

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ORDER

It is so ordered.

Dated this 2nd day of April, 2021.

Wesley P. Belman

Marsha J. Pechman
United States Senior District Judge

Presented by:

BAUER MOYNIHAN & JOHNSON LLP

s/ Matthew C. Crane
Matthew C. Crane, WSBA No. 18003

s/ Meliha Jusupovic
Meliha Jusupovic, WSBA No. 54024
Attorneys for Petitioner SDS Lumber Co.

STIPULATION AND ORDER REGARDING
MOTION BRIEFING SCHEDULE AND RE-
NOTING - 3
No.: 3:20-cv-05767-MJP

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